

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JEREMY WILDMAN,	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO.4:12-CV-117-Y
	§	
RICK THALER, Director,	§	
T.D.C.J., Correctional	§	
Institutions Div.,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS and,
TRANSFERRING CASE TO THE COURT OF APPEALS FOR THE FIFTH CIRCUIT

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner Jeremy Wildman, and the February 28, 2012 findings, conclusions, and recommendation of the United States magistrate judge.¹ The magistrate judge gave petitioner Wildman until March 21, 2012, to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the findings, conclusions and recommendation. The Court concludes that, for the reasons stated by the magistrate judge, the petition for writ of habeas corpus should be transferred to the United States Court of Appeals for the Fifth Circuit.

Therefore the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

¹As noted by the magistrate judge, although Jeremy Wildman presented his claims on a form to seek relief under 28 U.S.C. § 2255, because he is a state prisoner challenging a conviction in state court, the case is properly construed as a petition for writ of habeas corpus under 28 U.S.C. § 2254.

Jeremy Wildman's petition for writ of habeas corpus is TRANSFERRED to the United States Court of Appeals for the Fifth Circuit.

SIGNED March 29, 2012.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE